
CHAPTER 12

CASE AUDIT SUMMARIES

In order to better inform the community of how the IPA functions, the following cases have been selected in order to illustrate the auditing process. These are actual cases investigated by the PSCU and reviewed by the IPA. These cases have been selected not because they are most representative of the actions taken by the IPA and the PSCU, but because they illustrate the different options and courses of action the IPA can pursue. The locations and names of individuals involved have been intentionally left out in order to preserve their privacy.

Case #1 - IPA confers with PSCU

The complainant alleged that an officer had used unnecessary force against him/her. The complainant alleged that, without cause, the officer grabbed complainant by the neck and arm and then walked him/her out of the building. Complainant requested the informal investigative process. The PSCU, however, conducted a formal investigation. The IPA reviewed the case and conferred with PSCU regarding the type of investigation employed on the case. The IPA concurred with the PSCU's decision to conduct a formal investigation because, despite the complainants request for the informal process, the seriousness of the complaint warranted a formal, more in depth investigation.

Case #2 - IPA requests audio tape recording of PSCU - complainant interview

The complainant initiated the complaint at the PSCU alleging that an on-duty officer had been rude to friends and family while at his/her home. After the case was closed by the PSCU, complainant called the IPA because the PSCU did not conduct a formal investigation as allegedly requested by the complainant. The IPA reviewed the file and requested the audio taped interview from the PSCU, where the complainant was asked if he/she preferred a Formal or Informal investigation. Upon review of the tape, it was discovered that the complainant requested the Informal process. The IPA then contacted the complainant and let the complainant listen to the tape. The complainant then realized that he/she had, in fact, requested the Informal process.

Case #3 - IPA confers with the PSCU and requests investigation be re-opened

Complainant initiated his/her complaint at the IPA where he/she made multiple allegations. The PSCU closed his/her case because a family member of the complainant refused to cooperate with the PSCU's

investigation. The family member did not want to be interviewed by the PSCU or turn over documents to the PSCU. The IPA reviewed this case and found that some of the allegations could be investigated despite the lack of cooperation from complainant's family member. The IPA met with the PSCU lieutenant and it was agreed that allegations not related to the complainant's family member would be investigated. The investigator assigned to the case then informed the IPA that the complainant had not been fully cooperative with the investigation either. The IPA contacted the complainant and requested that he/she cooperate with the PSCU investigator. The PSCU then re-opened the investigation on the allegations not related to the family member.

Case #4 - IPA requests to re-open investigation and notes PSCU's refusal

Complainant alleges the police came to his/her home to conduct a search. One of the residents, a ten year old girl, asked to see a search warrant. An officer allegedly responded by referring to her as a "smart ass." The PSCU closed the case after investigating other allegations, but did not investigate the rude conduct allegation. The IPA reviewed the case and contacted the PSCU on the issue of rude conduct toward the ten year old girl. The IPA and the PSCU did not agree on the adequacy of the investigation. The PSCU maintained that the alleged comment did not amount to misconduct.

Case #5 - IPA attends officer interviews

Officers responded to a disturbance call at complainant's residence. The complainant alleged that one of the officers used unnecessary force against him/her by choking and punching him/her. As part of the investigation, the PSCU interviewed the subject officer, as well as witness officers. The IPA attended the interviews of the subject officer and the witness officers, and provided questions for the investigator to ask. The allegations against the officer were later found to be exonerated. By attending the officer's interview, the IPA was in a better position to evaluate the complaint and its investigation.

Case #6 - IPA interviews witness

Complainant alleged that his/her pet was killed by a police officer. The case was closed by the PSCU and the officer was found not to have engaged in misconduct. The complainant was not satisfied with the investigation because witnesses, which the complainant provided and felt were essential, were not interviewed. The IPA contacted one of the witnesses to inquire about his/her knowledge of the incident. The IPA concluded that the witness could not provide information that would change the finding of the complaint. The IPA did not request that the PSCU re-open the case.

Case #7 - IPA visits scene of alleged misconduct

Complainant alleged that he/she was arrested and taken to jail. He/She states that while still outside of the jail, the subject officer used unlawful force against him/her. Complainant alleges that the officer pushed him/her to the ground, causing lacerations, bruising and swelling. In order to better understand the circumstances surrounding the complaint, the IPA visited the scene of the alleged misconduct. The IPA noted the physical layout of the area, and thus, was better able to audit the investigation of the complaint.